

## **REMARKS**

### **Summary of the Office Action**

Claims 3 and 7 are objected to because of informalities.

Claims 1, 4-6, 8, and 14-19 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 6,445,434 to *Takato et al.*

Claims 2, 3, and 7 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 6,133,974 to *Ishii*.

### **Summary of the Response to the Office Action**

Claims 1, 3, 7, and 8 have been amended. No new matter has been introduced.

Claim 2 has been canceled.

Claims 9-13 have been withdrawn.

Accordingly, claims 1-8 and 14-19 are presently pending.

### **Objections**

Claims 3 and 7 have been amended to correct minor informalities. No new matter has been introduced. Accordingly, Applicants respectfully request that the claim objections be withdrawn.

### **Rejections Under 35 U.S.C. § 102(b)**

Claims 1, 4-6, 8, and 14-19 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by *Takato et al.*, and claims 2, 3, and 7 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by *Ishii*. Applicants respectfully traverse these rejections for at least the following reasons.

Alleged Anticipation by *Takota et al.*

Independent claim 1, as amended, recites an aligning method of a ferroelectric liquid crystal display including, in part, the step of “rubbing the second alignment film of the lower plate in the same direction as the rubbing direction of the alignment film of the upper plate.” Similarly, independent claim 8, as amended, recites an alignment method including, in part, the steps of “rubbing a first alignment film of the upper plate through the first mask in a direction” and “rubbing a second alignment film of the lower plate through the second mask in the direction.” *Takota et al.* fails to teach or suggest at least these features.

As shown in FIG. 1, *Takota et al.* discloses an alignment film 13 disposed on a lower glass substrate 11, and an alignment film 14 disposed on an upper glass substrate 12, such that the upper substrate 12 faces the lower substrate 11. The alignment film 13 is rubbed along a direction perpendicular (i.e., not the same direction) to the rubbing direction of the alignment film 14. (Col. 6, lines 35-39.) Thus, *Takota et al.* fails to teach or suggest rubbing the second alignment film of the lower plate in the same direction as the rubbing direction of the alignment film of the upper plate, as required by independent claims 1 and 8. Thus, the rejection of claims 1 and 8 should be withdrawn.

Alleged Anticipation by *Ishii*

Although the Office alleges that dependent claims 2, 3, and 7 are anticipated by *Ishii*, Applicants’ note that the header of the rejection does not indicate that independent claim 1 is also rejected as allegedly anticipated by *Ishii*.

Applicants respectfully submit that the Office has not established that *Ishii* anticipates each and every feature of Applicants’ claimed invention and, thus, the rejection under 35 U.S.C. § 102(b) in view of *Ishii* should be withdrawn. Independent claim 1, as amended, incorporates

the features of claim 2, including the recitation of “disposing a first mask and a second mask, each of which has opening regions and blocking regions arranged in alternating fashion in vertical direction and horizontal direction corresponding to liquid crystal cells of the liquid crystal display.”

The Office equates mask pattern 9 of *Ishii* with the claimed first mask and second mask. (Paragraph 14.) As shown in FIG. 19, *Ishii* discloses a mask pattern 9, formed of a strip pattern, which is provided on the orientation films of the top and bottom substrates. (col. 39, lines 11-41.) As *Ishii* employs a strip pattern, the mask pattern 9 cannot be said to have “opening regions and blocking regions arranged in alternating fashion in vertical direction and horizontal direction,” as required by independent claim 1.

#### All Claims Recite Allowable Subject Matter

As pointed out in M.P.E.P. § 2131, a claim is anticipated by a prior art reference only if each and every element as set forth in the claim is found. Because each of *Takota et al.* and *Ishii* fails to teach or suggest each feature of independent claims 1 and 8, the rejections under 35 U.S.C. § 102(b) should be withdrawn. Furthermore, claims 2-7 and 14-19 depend from one of independent claims 1 or 8. Accordingly, claims 2-7 and 14-19 are also allowable because of the additional features they recite and the reasons stated above.

#### Conclusion


Applicants believe no fees are due at this time. If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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